

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

\$33,984.00 IN UNITED STATES  
CURRENCY,

Defendant.

**8:12CV65**

**ORDER**

This matter is before the court on the findings and recommendation of the magistrate judge, Filing No. [34](#). The magistrate judge concluded that the claimant Eric Bowen has consistently failed to provide requested discovery and has acted in a manner that prejudices plaintiff's ability to present its case and defend against Bowen's claims on the defendant currency. The Court has carefully reviewed the findings and recommendation of the magistrate judge and determines it is accurate in all respects.

THEREFORE, IT IS ORDERED that pursuant to Fed. R. Civ. P. 4(m), NECivR 41.2, and Fed. R. Civ. P. 37:

1. The findings and recommendation of the magistrate judge, Filing No. [34](#), is adopted in its entirety.
2. The plaintiff's motion to strike, Filing No. [33](#), is granted.
3. The Clerk of Court is ordered to strike Bowen's Answer, Filing No. [20](#) and Claim, Filing No. [14](#), and enter a Clerk's entry of default against Eric Bowen.

Dated this 5<sup>th</sup> day of April, 2013.

BY THE COURT:

s/ Joseph F. Bataillon

United States District Judge